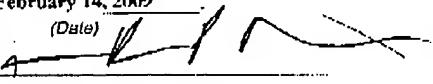


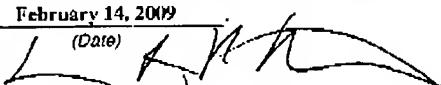
FEB 17 2009

PAGE 12 • RCV'D AT 2/14/2009 1:16:55 PM [Eastern Standard Time] • SVR:USPTO-EFRF-6.0 • DMS:2738300 • CSD:84/6581088 • DURATION (MM:SS):01:08

<b>NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)</b>						Docket No. Y3.0074
In Re Application Of: Finn Aagaard						
Application No. <b>10/720,919</b>	Filing Date <b>11/24/2003</b>	Examiner <b>Francis T. Palo</b>	Customer No.	Group Art Unit <b>3644</b>	Confirmation No. <b>5228</b>	
<b>Invention: APPARATUS AND METHOD FOR IRRIGATING CONTAINER-GROWN PLANTS</b>						
<b><u>COMMISSIONER FOR PATENTS:</u></b>						
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated <b>11/17/2008</b> finally rejecting Claim(s) <b>1,4-12,14-17 and 21-26</b>						
Applicant is a small entity under 37 CFR 1.9 and 1.27.						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 The fee for this Notice of Appeal is: \$270.00 <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <b>161375</b> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 <i>Signature</i>						
Dated: <b>February 14, 2009</b>						
<p><b>Mathew R.P. Perrone, Jr.</b>  <b>Brie A. Crawford</b>  <b>Attorneys of Record</b>  <b>210 South Main Street</b>  <b>Algonquin, Illinois 60102</b>  <b>847-658-5140</b></p> <p>CC:</p>						
<div style="border: 1px solid black; padding: 5px;"> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 [37 CFR 1.8(a)] on <b>February 14, 2009</b></p> <p>(Date)</p> <p></p> <p><i>Signature of Person Mailing Correspondence</i></p> <p><b>Mathew R. P. Perrone, Jr.</b></p> <p><i>Typed or Printed Name of Person Mailing Correspondence</i></p> </div>						

FEB 17 2009

PAGE 2/2, RCVD AT 2/14/2009 11:16:55 PM [Eastern Standard Time], SVR:USPTO-EFRM-610, DMS:2738300, CSD:8476581088, DURATION (MM:SS):01:08

<b>NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)</b>						Docket No. Y3.0074
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<p>Mathew R.P. Perrone, Jr.          Brie A. Crawford          Attorneys of Record          210 South Main Street          Algonquin, Illinois 60102          847-658-5140</p> <p>CC:</p>						
<div style="border: 1px solid black; padding: 5px;"> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p> <p>February 14, 2009</p> <p>(Date)</p> <p></p> <p>Signature of Person Mailing Correspondence</p> <p>Mathew R. P. Perrone, Jr.</p> <p>Typed or Printed Name of Person Mailing Correspondence</p> </div>						